IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE CIVIL JURISDICTION

FIRST APPEAL NO.249 OF 2007

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's Orders

Mr.J.J.Thakkar for the appellant.

Mr.J.J.Xavier for the B.M.c.

CORAM : ANOOP V. MOHTA,J.

DATED : 9th July, 2007

P.C.

In view of the order passed in C.A.No.918/2007, as it goes to the root of the matter, the impugned judgement and order dated 22.12.2006 is quashed and set aide. The matter is remanded back to the trial Court. Both the parties are at liberty to lead their respective evidence and submission based on this document.

The trial court to dispose of the suit after giving both the parties full opportunity preferably within six months.

The parties are agreed to appear before the trial court on 6th August, 2007.

First Appeal stands disposed of in the above terms.

No cost.

[ANOOP V. MOHTA,J.]